

By: Senator(s) Stone, Gordon

To: Universities and
Colleges; Appropriations

SENATE BILL NO. 2320

1 AN ACT TO AMEND SECTIONS 37-106-29 AND 37-106-31, MISSISSIPPI
 2 CODE OF 1972, TO INCREASE THE TUITION AMOUNTS AVAILABLE UNDER THE
 3 MISSISSIPPI RESIDENT TUITION ASSISTANCE GRANT (M.T.A.G.) PROGRAM
 4 AND THE MISSISSIPPI EMINENT SCHOLARS GRANT PROGRAM; TO PROVIDE
 5 THAT QUALIFIED STUDENTS WHO HAVE GRADUATED FROM A MISSISSIPPI
 6 COMMUNITY/JUNIOR COLLEGE SHALL BE ELIGIBLE FOR A GRANT EQUAL TO
 7 100% OF THE COST OF TUITION AND FEES FOR THE STUDENT'S JUNIOR YEAR
 8 AT A MISSISSIPPI UNIVERSITY OR PRIVATE COLLEGE; TO CLARIFY THAT
 9 STUDENTS COMPLETING ACCREDITED HOMESCHOOL PROGRAMS SHALL BE
 10 ELIGIBLE TO APPLY FOR A MISSISSIPPI RESIDENT TUITION ASSISTANCE
 11 GRANT OR A MISSISSIPPI EMINENT SCHOLARS GRANT; AND FOR RELATED
 12 PURPOSES.

13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

14 **SECTION 1.** Section 37-106-29, Mississippi Code of 1972, is
 15 amended as follows:

16 37-106-29. (1) There is established the Mississippi
 17 Resident Tuition Assistance Grant Program for college or
 18 university freshmen, sophomores, juniors and seniors to be
 19 administered by the Mississippi Postsecondary Education Financial
 20 Assistance Board established under Section 37-106-9, Mississippi
 21 Code of 1972, which shall set the dates and deadlines for applying
 22 for an award under this section. The board shall establish such
 23 rules and regulations as it deems necessary and proper to carry
 24 out the purposes and intent of this section.

25 (2) The college or university shall approve grants to
 26 full-time freshmen, sophomore, junior and senior Mississippi
 27 residents who meet the general requirements for student
 28 eligibility as provided in subsection (4) of this section.

29 (3) Mississippi Resident Tuition Assistance Grants shall be
 30 for Mississippi students from any Mississippi family whose prior
 31 year adjusted gross income (AGI) exceeds the maximum allowed to



32 qualify for full Pell Grant eligibility and campus-based federal
33 aid. Those Mississippi students receiving less than the full Pell
34 Grant award, as determined by the institution, shall receive a
35 Mississippi Resident Tuition Assistance Grant in an amount not to
36 exceed the maximum Pell Grant allowable for that individual
37 student. The award shall be applied to tuition, rooms and meals,
38 books, materials and fees not to exceed Two Thousand Dollars
39 (\$2,000.00) for junior and senior students attending state
40 institutions of higher learning in Mississippi or four-year
41 regionally accredited, state-approved, nonprofit colleges and
42 universities in Mississippi, and One Thousand Dollars (\$1,000.00)
43 for freshmen and sophomores attending state institutions of higher
44 learning or public community or junior colleges in Mississippi, or
45 regionally accredited, state-approved, nonprofit two-year or
46 four-year colleges in Mississippi, which will be prorated per
47 term, semester or quarter of the academic year for costs of
48 attendance, calculated according to the formula specified in
49 subsection (8) of this section. Provided, however, that any
50 eligible student who has graduated from a public community or
51 junior college in Mississippi shall qualify for a Mississippi
52 Resident Tuition Assistance Grant equal to one hundred percent
53 (100%) of the cost of tuition, rooms, meals, books, materials and
54 fees at any Mississippi institution of higher learning listed
55 below in (4) (d), to only be used for two (2) semesters of the
56 student's junior year attendance at such institution. No student
57 may receive a grant in excess of the cost of tuition, rooms,
58 meals, books, materials and fees at the applicable college or
59 university.

60 (4) The general requirements for initial eligibility of
61 students for Mississippi Resident Tuition Assistance Grants
62 consist of the following:



63 (a) Member of a Mississippi family whose prior year
64 adjusted gross income (AGI) exceeds the maximum allowed to qualify
65 for Pell Grant eligibility and campus-based federal aid.

66 (b) Acceptance for enrollment at any state institution
67 of higher learning or public community or junior college located
68 in Mississippi, or any regionally accredited, state-approved,
69 nonprofit four- or two-year college or university located in
70 Mississippi as listed in subsection (d) of this Section
71 37-106-29(4), within one (1) year of graduation from high school
72 or an accredited home education program with: (i) a minimum grade
73 point average of 2.5 calculated on a 4.0 scale after seven (7)
74 semesters certified by the high school counselor or other
75 authorized school official on the application and graduation from
76 high school verified by the institution before disbursement of
77 award and has scored fifteen (15) on the American College Test
78 Program (ACT); or (ii) has attended an accredited home education
79 program during grade levels 9 through 12, and has scored fifteen
80 (15) on the American College Testing Program; or (iii)
81 satisfactory completion of the General Educational Development
82 Test (GED) or have successfully completed the International
83 Baccalaureate Program and has scored fifteen (15) on the American
84 College Testing Program; provided, however, that any student
85 entering a vocational or technical program of study, or who has
86 satisfactorily completed the General Education Development Test
87 and attends a community or junior college will not be required to
88 have a test score under the American College Testing Program
89 except those students enrolled in courses of academic study. Any
90 student currently enrolled in any qualified institution shall have
91 to only meet the same requirements as students who are applying
92 for a renewal award.

93 (c) Resident status for purposes of receiving grants
94 under this section shall be determined in the same manner as
95 resident status for tuition purposes as set forth in Sections



96 37-103-1 through 37-103-29, with the exception of Section
97 37-103-17.

98 (d) Must attend one (1) of the following institutions
99 of higher learning within one (1) year of graduation from high
100 school or an accredited home school program: Alcorn State
101 University, Delta State University, Jackson State University,
102 Mississippi State University, Mississippi University for Women,
103 Mississippi Valley State University, University of Mississippi,
104 University of Southern Mississippi, Coahoma Community College,
105 Copiah-Lincoln Community College, East Central Community College,
106 East Mississippi Community College, Hinds Community College,
107 Holmes Community College, Itawamba Community College, Jones County
108 Junior College, Meridian Community College, Mississippi Delta
109 Community College, Mississippi Gulf Coast Community College,
110 Northeast Mississippi Community College, Northwest Mississippi
111 Community College, Pearl River Community College, Southwest
112 Mississippi Community College, Belhaven College, Blue Mountain
113 College, Millsaps College, Mississippi College, Rust College,
114 Tougaloo College, William Carey College, Mary Holmes College,
115 Magnolia Bible College, Wood College and Wesley College.

116 (5) By accepting a Mississippi Resident Tuition Assistance
117 Grant, the student is attesting to the accuracy, completeness and
118 correctness of information provided to demonstrate the student's
119 eligibility. Falsification of such information shall result in
120 the denial of any pending grant and revocation of any award
121 currently held to the extent that no further payments shall be
122 made. Any student knowingly making false statements in order to
123 receive a grant shall be guilty of a misdemeanor punishable, upon
124 conviction thereof, by a fine of up to Ten Thousand Dollars
125 (\$10,000.00), a prison sentence of up to one (1) year in the
126 county jail, or both, and shall be required to return all
127 Mississippi Resident Tuition Assistance Grants wrongfully
128 obtained.



129 (6) Eligibility for renewal of Mississippi Resident Tuition
130 Assistance Grants shall be evaluated at the end of each semester,
131 or term, of each academic year. As a condition for renewal, a
132 student shall:

133 (a) Make steady academic progress toward a certificate
134 or degree, as outlined in the school Satisfactory Academic
135 Progress Standards and certified by the institution's registrar.

136 (b) Maintain continuous enrollment for not less than
137 two (2) semesters or three (3) quarters in each successive
138 academic year, unless granted an exception for cause by the
139 administering agency; examples of cause may include student
140 participation in a cooperative program, internship program or
141 foreign study program. If a student fails to maintain continuous
142 enrollment, and is not granted an exception for cause by the
143 administering agency, the student is ineligible to receive the
144 Mississippi Resident Tuition Assistance Grant during the following
145 semester or trimester or term of the regular academic year.

146 (c) Have a cumulative grade point average of at least
147 2.0 calculated on a 4.0 scale at the end of each semester or
148 trimester or term.

149 (7) Each student, each year, must complete a Free
150 Application for Federal Student Aid form or a Statement of
151 Certification as designed by the administering board to determine
152 his/her eligibility for a Mississippi Resident Tuition Assistance
153 Grant.

154 (8) (a) The amount of the Mississippi Resident Tuition
155 Assistance Grant awarded to any one (1) student, up to the maximum
156 amount provided in subsection (3) of this section, shall be the
157 difference of the student's cost of attendance at his accredited
158 college of choice and the amount of federal aid such student may
159 receive, not to supplant but to supplement the amount of any
160 federal aid awarded to the student. Cost of attendance is the



161 tuition and fees of the applicable institution plus an allowance
162 for room and meals and books and materials.

163 (b) Payment of the Mississippi Resident Tuition
164 Assistance Grant shall be made payable to the recipient and the
165 educational institution and mailed directly to the institution, to
166 be applied first to tuition.

167 (c) Any college or university that receives Mississippi
168 Resident Tuition Assistance Grant funds shall include a statement
169 on the student's tuition/fee bill that these scholarship funds are
170 provided the Mississippi Legislature.

171 (9) In order for an institution to remain eligible for its
172 students to participate in the Mississippi Resident Tuition
173 Assistance Grant Program, the institution shall comply with the
174 following requirements:

175 (a) A complete and accurate roster of the eligibility
176 status of each awarded student shall be made to the board for each
177 term, semester or quarter of the academic year the student
178 receives a Mississippi Resident Tuition Assistance Grant.

179 (b) The institution is required to make refunds to the
180 Mississippi Resident Tuition Assistance Grant Fund for any funds
181 which have not been disbursed to the recipient, in the case of
182 students who have received a grant but who terminate enrollment
183 during the academic term, semester or quarter of the academic year
184 if an institution's refund policies permit a student to receive a
185 refund in such instance. The recipient shall be responsible for
186 the refund of any funds which have been disbursed by the
187 institution in such instance.

188 (c) If a student drops below full-time status but does
189 not terminate all enrollment during the term, semester or quarter
190 of the academic year no refund will be required for that term.
191 However, that student is ineligible to receive the Mississippi
192 Resident Tuition Assistance Grant during the following term,
193 semester or quarter of the regular academic year.



194 (d) The board may conduct its own annual audits of any
195 institution participating in the Mississippi Resident Tuition
196 Assistance Grant Program. The board may suspend or revoke an
197 institution's eligibility to receive future monies under the
198 program if it finds that the institution has not complied with the
199 provisions of this section. In determining a student's initial
200 eligibility, the number of prior semesters enrolled will not be
201 counted against the student.

202 (10) No student may receive a Mississippi Resident Tuition
203 Assistance Grant for more than the equivalent semesters or
204 quarters required to complete one (1) baccalaureate degree or one
205 (1) certificate or associate degree program per institution.

206 (11) Subject to the availability of funds specifically
207 appropriated therefor, it is the intent of the Legislature to
208 fully fund grant awards to eligible students. If funds are
209 insufficient to fully fund grant awards to eligible students,
210 grant awards shall be prorated among all eligible students. No
211 student shall receive any combination of student financial aid in
212 excess of the cost of attendance as defined in subsection (8) (a).

213 (12) No student receiving a Mississippi Eminent Scholars
214 Grant as provided in Section 37-106-31 shall be eligible to
215 receive the Mississippi Resident Tuition Assistance Grant pursuant
216 to Section 37-106-29 unless he is eligible for such award after
217 the Mississippi Eminent Scholars Grant has been considered by the
218 board when conducting an assessment of the financial resources
219 available to the student. In no case shall any student receive
220 any combination of student financial aid that would exceed the
221 cost of attendance, as defined in subsection (8) (a).

222 For purposes of this section, certificated shall mean, but
223 not be limited to, all postsecondary vocational programs in
224 eligible institutions as identified in subsection (4) (d) of this
225 section.



226 **SECTION 2.** Section 37-106-31, Mississippi Code of 1972, is
227 amended as follows:

228 37-106-31. (1) There is created a Mississippi Eminent
229 Scholars Fund, to be administered by the Mississippi Postsecondary
230 Education Financial Assistance Board established under Section
231 37-106-9. The board shall set the date that will serve as the
232 deadline for applying for an award under this section and award
233 scholarships to each Mississippi student who:

234 (a) (i) Is recognized by the merit or achievement
235 programs of the National Merit Scholarship Corporation or the
236 National Achievement Scholarship as a semifinalist or finalist,
237 and has obtained a minimum cumulative grade point average of 3.5
238 calculated on a 4.0 scale in high school subjects acceptable for
239 credit toward a diploma, after seven (7) semesters certified by
240 the high school counselor or other authorized school official on
241 the application and graduation from high school verified by the
242 institution before disbursement of award; or

243 (ii) Has scored twenty-nine (29) on the American
244 College Testing Program or its equivalent and has obtained a
245 minimum cumulative grade point average of 3.5 calculated on a 4.0
246 scale after seven (7) semesters certified by the high school
247 counselor or other authorized school official on the application
248 and graduation from high school verified by the institution before
249 disbursement of award, or the equivalent in high school subjects
250 acceptable for credit toward a diploma; or

251 (iii) Has attended an accredited home education
252 program during grade levels 9 through 12 and has scored
253 twenty-nine (29) on the American College Testing Program or its
254 equivalent; and

255 (iv) Has been certified by the college or
256 university to the Mississippi Postsecondary Education Financial
257 Assistance Board as a Mississippi Eminent Scholar.



258 (b) Meets the general requirements for student
259 eligibility, except as otherwise provided in this section.

260 (c) Dependents of Mississippi residents who are on
261 military or public service assignments away from Mississippi when
262 such dependents live with such Mississippi residents and receive
263 high school diplomas from non-Mississippi schools shall be
264 exempted.

265 (d) Files, before the deadline, an application for an
266 award during his last year in high school, or before the
267 expiration of the third school year succeeding the year of his
268 high school graduation.

269 (e) Attends, on a full-time basis, any state
270 institution of higher learning or public community or junior
271 college, or any regionally accredited, state-approved, nonprofit
272 four- or two-year college or university located in the State of
273 Mississippi as listed in subsection (4) (d) of Section 37-106-29.

274 (f) Enrolls for the first time as a college student in
275 Mississippi. Any student who earns postsecondary academic credit
276 prior to or during the summer immediately subsequent to receiving
277 a high school diploma, who is dually enrolled in secondary and
278 postsecondary educational institutions, or who is enrolled in the
279 early admission program of a postsecondary institution shall be
280 exempt from this requirement.

281 (g) Is a resident of the State of Mississippi.
282 Residency status for purposes of receiving grants under this
283 section shall be determined in the same manner as resident status
284 for tuition purposes as set forth in Sections 37-103-1 through
285 37-103-29, with the exception of Section 37-103-17.

286 (2) (a) Students who apply for awards but do not accept
287 their initial awards may reapply to receive awards during
288 subsequent application periods occurring before the expiration of
289 the third school year succeeding the year of their high school
290 graduation. Similarly, students who receive initial awards and



291 who later do not accept renewal awards may reapply to receive
292 awards during subsequent application periods occurring before the
293 expiration of the third school year succeeding the year of their
294 high school graduation. The institution shall accept
295 reinstatement applications according to dates set by the
296 Mississippi Postsecondary Education Financial Assistance Board and
297 shall determine the eligibility of such applicants in the same
298 manner as first-time applicants, except that students who apply
299 pursuant to this paragraph shall be required to have maintained
300 the equivalent of a 3.5 cumulative grade point average on a 4.0
301 scale for all college work attempted. The board shall not make
302 awards to reinstatement applicants who submit applications that
303 are received after the deadline set by the Mississippi
304 Postsecondary Education Financial Assistance Board.

305 (b) The board shall create a renewal application for
306 each student who received the award for one or more terms during
307 the immediately preceding academic year.

308 (3) (a) The annual award to a student shall be up to Three
309 Thousand Five Hundred Dollars (\$3,500.00) for tuition, fees,
310 rooms, meals, books and materials. Provided, however, that any
311 eligible recipient who graduates from a community or junior
312 college in Mississippi shall qualify for a Mississippi Eminent
313 Scholars Grant equal to one hundred percent (100%) of the cost of
314 tuition, fees, rooms, meals, books and materials at a Mississippi
315 institution of higher learning listed in Section 37-106-29(4) (d),
316 to only be used for two (2) semesters of the recipient's junior
317 year attendance at such institution. No recipient may receive a
318 grant in excess of the cost of tuition, rooms, meals, books,
319 materials and fees at the applicable college or university.
320 Payment of the Mississippi Eminent Scholars Grant shall be made
321 payable to the recipient and the educational institution and
322 mailed directly to the institution, to be applied first to
323 tuition. Any college or university that receives Eminent Scholars



324 Grant funds shall include a statement on the student's tuition/fee
325 bill stating that these scholarship funds are provided by the
326 Mississippi Legislature.

327 (b) Within six (6) weeks of the end of regular
328 registration, inclusive of a drop-add period, institutions shall
329 certify to the board the eligibility status of each awarded
330 student. The eligibility status of each student to receive a
331 disbursement shall be determined by each institution as of this
332 date. Institutions shall not be required to reevaluate a
333 student's eligibility status after this date for purposes of
334 amending eligibility determinations previously made. However, an
335 institution shall be requested to make refunds for students who
336 receive award disbursements and terminate enrollment for any
337 reason during the academic term when an institution's refund
338 policies permit a student to receive a refund under the
339 circumstances.

340 (c) Institutions shall certify to the board the amount
341 of funds disbursed to each student and shall remit to the board
342 any undisbursed advances within sixty (60) days of the end of
343 regular registration.

344 (4) A recipient shall maintain the equivalent of a 3.5
345 cumulative grade point average on a 4.0 scale, or shall maintain
346 an approved equivalent student progress evaluation plan, on at
347 least twelve (12) hours per quarter, trimester or semester in
348 order to be eligible for a continuation of the award. No student
349 may receive a Mississippi Eminent Scholars Fund award for more
350 than the equivalent semesters or quarters required to complete one
351 (1) degree or certificate program per institution. The award may
352 be renewed annually upon certification of eligibility by the
353 eligible institutions that the recipient meets the necessary
354 qualifications. If any recipient transfers from one university,
355 community college or junior college to another, his award will be
356 transferable, provided he is otherwise eligible for the award. If



357 a student fails to maintain continuous enrollment, and is not
358 granted an exception for cause by the administering agency, the
359 student is ineligible to receive the Mississippi Eminent Scholars
360 Grant during the following semester or trimester or term of the
361 regular academic year.

362 (5) The board may conduct its own annual audits of any
363 institution participating in the Mississippi Eminent Scholars
364 Grant Program. The board may suspend or revoke an institution's
365 eligibility to receive future monies under the program if it finds
366 that the institution has not complied with the provisions of this
367 section.

368 (6) For purposes of this section, certificated shall mean,
369 but not be limited to, all postsecondary vocational programs in
370 eligible institutions as identified in subsection (4)(d) of
371 Section 37-106-29.

372 **SECTION 3.** This act shall take effect and be in force from
373 and after July 1, 2009.

